

Docket Item #2
SPECIAL USE PERMIT #2005-0063

Planning Commission Meeting
September 8, 2005

ISSUE: Consideration of a request for a special use permit to operate a commercial school.

APPLICANT: Capital Bartending School, LLC

LOCATION: 716 Church Street (Parcel Address: 714 Church Street)

ZONE: CL/Commercial Low

PLANNING COMMISSION ACTION, SEPTEMBER 8, 2005: On a motion by Mr. Komoroske, seconded by Ms. Fossum, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 7 to 0.

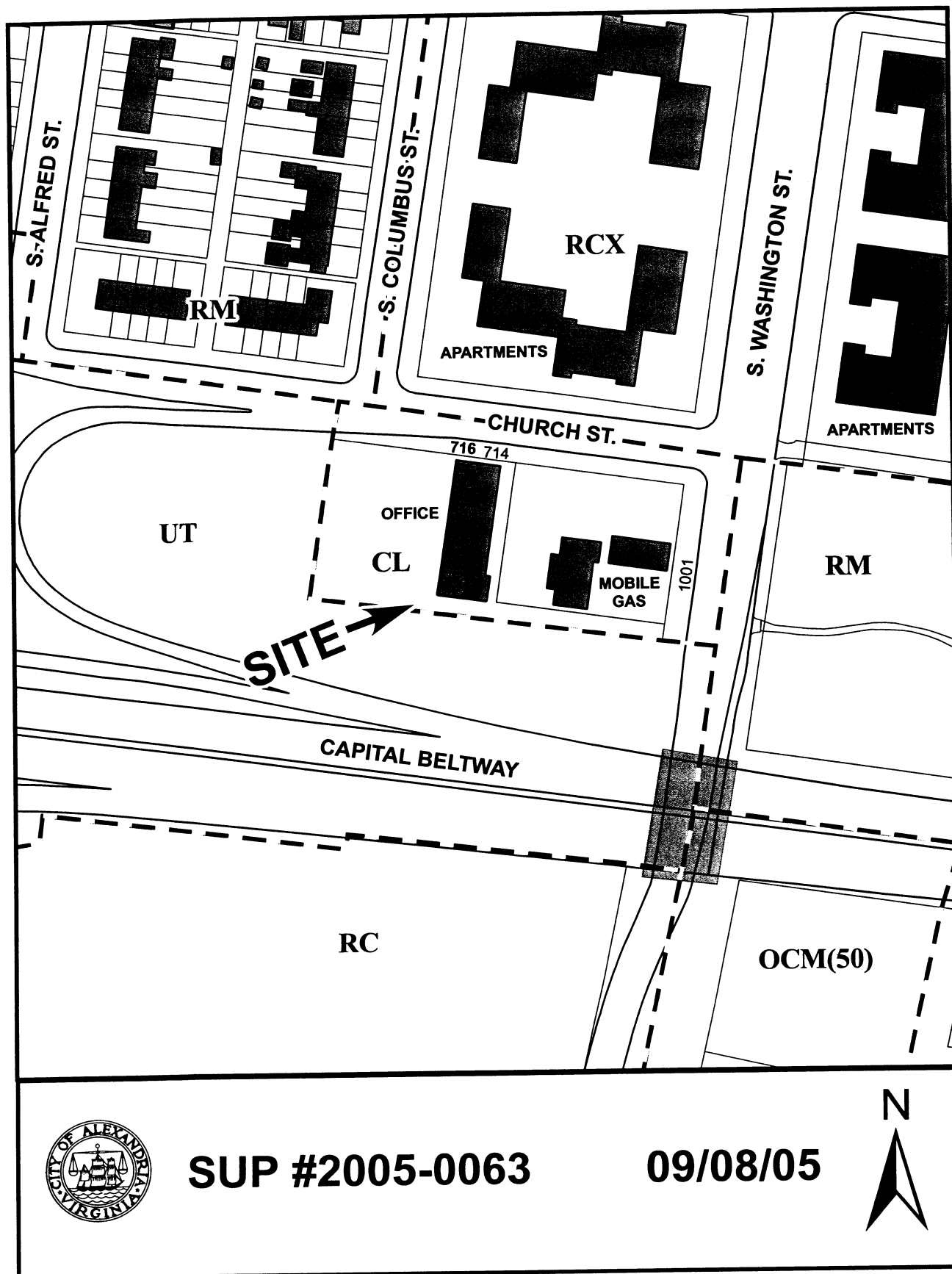
Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Maureen Dugan, a resident of 816 Green Street, spoke in opposition to the requested bartending school. She indicated that her concerns and those of her neighbors had to do with traffic and parking on neighborhood streets. She was concerned that the students at the school would add more traffic during rush hour to already overcrowded streets and that the parking lot for the school may not accommodate all of the students. She also indicated that she thought the school constituted a change in the character of the neighborhood. She submitted a list of signatures of people opposed to the school. She asked that the case be deferred until these issues could be worked out.

Scott Shelton, the applicant, indicated that most of the students would be attending classes in the evening, when there would be ample parking available in the parking lot adjacent to the building where the school is located. This is the only evening use of the building and there are 25 spaces in the parking lot.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



I. DISCUSSION

REQUEST

The applicant, Capital Bartending School, LLC, requests special use permit approval for the operation of a commercial school located at 716 Church Street (parcel address: 714 Church Street).

SITE DESCRIPTION

The subject property is one lot of record with approximately 159 feet of frontage on Church Street, 140 feet of depth and a total lot area of 25,421 square feet. The site is developed with a two-story brick building. Access to the property is from Church Street.



The surrounding area is occupied by a mix of commercial and residential uses. Immediately to the north is a garden apartment complex. To the south and west are ramps for I-495. To the east is a Mobil service station.

CURRENT CHARACTERISTICS

The 9,900 square foot building is currently occupied by office uses, except the rear portion of the second floor, which is vacant and the proposed location for the commercial school. A 25-space parking lot is adjacent to the building.

Along with the adjacent Mobil service station, this site is part of the future site of Freedmen's Cemetery. The applicant is aware that the building will be demolished as the park is developed, but wishes to proceed with the application.

CODE ISSUES

During the site inspection by Code Enforcement, it was determined that interior renovations to the space proposed to be occupied by the school had been made without the appropriate permits. Additionally, the rear exit was locked in violation of fire code. Upon notification, the applicant unlocked the door and committed to obtaining the proper permits for the renovations. The space will not be permitted to be occupied until all code requirements are met.

PROPOSAL

The applicant proposes instruction and training for bartenders and restaurant employees. Instruction will include how to tend bar, customer service, and serving alcohol responsibly. No alcohol will be used or served at the school.

Hours: 8:30 a.m. to 10:00 p.m. weekdays, 8:30 a.m. to 6:00 p.m. Saturdays

Number students: 16 students per class, 3 classes per day weekdays and 2 classes on Saturdays. Only 1 classroom is provided.

Noise: Typical classroom noise is expected.

Trash/Litter: Trash will be collected once per week. A groundskeeper will pick up any litter generated by the use.

PARKING

According to Section 8-200 (A)(11) of the Zoning Ordinance, a commercial school requires one parking space for every two seats. A commercial school with 16 seats is required to provide 8 off-street parking spaces. The proposed school would occupy approximately 1,440 square feet of the 9,900 square foot building. The remaining space is occupied by office uses, which according to Section 8-200 (A)(18)(a), requires one space for every 500 square feet. The remaining office uses require 17 parking spaces. The total parking requirement for this building is 25 spaces. The parking lot contains 25 spaces. The applicant has also received permission from the adjacent Mobil service station to secure additional parking at the service station if necessary.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CL/Commercial Low zone. Section 4-100 of the Zoning Ordinance allows a commercial school in the CL zone only with a special use permit.

The proposed use is consistent with the Southwest Quadrant Small Area Plan chapter of the Master Plan which designates the property for commercial use.

II. STAFF ANALYSIS

Staff supports this new commercial school as a temporary use until the site is cleared for Freedmen's Cemetery. Although the use may be only temporary, minor improvements to the parking lot will be necessary to ensure the minimum number of parking spaces required are provided. Staff has added a condition requiring the lot be patched and restriped, as the lot currently contains numerous potholes and the lines between spaces have faded.

The community has expressed concern about parking at this location. The number of spaces provided for the building meets the minimum parking requirement. During daytime site visits by staff, the parking lot was over half empty, even though the office uses were open. The applicant expects the more heavily-attended class to be the evening class, which will be held after the office uses in the building close, freeing up additional parking spaces. The applicant has also been granted permission to use available parking at the adjacent Mobil service station when necessary. Due to the staggered peak usage times and the agreement with Mobil, staff feels that parking will not be an issue at this location.

With the following conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the commercial school shall be limited to 8:30 a.m. to 10:00 p.m. on weekdays and 8:30 a.m. to 6:00 p.m. on Saturdays . (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)
5. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z)
6. The applicant shall patch and restripe the parking lot within 90 days of City Council approval. A minimum of 25 parking spaces meeting the requirements of the Zoning Ordinance shall be provided. (P&Z)
7. Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities. (Code Enforcement)

8. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
Lorrie Pearson, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

F-1 No comments

Code Enforcement:

- F-1 On July 15, 2005, staff visited the site and discovered the bartending school had been constructed without obtaining required permits, approvals and inspections. The layout of the bartending school obstructs the second rear exit from the second floor of the structure. The applicant had installed a padlock on the rear exterior exit door in violation of the fire code. The applicant removed the lock and hasp from the door on 7/15/05 upon receipt of an order from the fire marshal. The change of configuration of the proposed space, and / or use of other areas of the building by other tenants shall be reviewed and approved by Code Enforcement prior to occupancy or continued use.
- C-1 Subdivision of the existing office space requires a Certificate of occupancy which shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 119.0.
- C-2 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.
- C-3 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-5 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-6 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.
- C-7 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.

Health Department:

- F-1 No comments

Police Department:

- F-1 The Police Department has no objections to the school opening.

APPLICATION for SPECIAL USE PERMIT # 2005-0063

[must use black ink or type]

PROPERTY LOCATION: (Parcel Add: 714 Church St)
716 Church St. Alex, VA 22304

TAX MAP REFERENCE: 83.01-01-04 ZONE: CL

APPLICANT Name: Capital Bartending School, LLC

Address: 716 Church St.

PROPERTY OWNER Name: Dominos Pizza Team Washington

Address: 714 Church St. Alex, VA 22314

PROPOSED USE: Provide instruction and training for bartenders
and restaurant employees

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Scott Shelton
Print Name of Applicant or Agent

Scott Shelton
Signature

716 Church St.
Mailing/Street Address

(703) 408-6511
Telephone # Fax #

Alex, VA 22314
City and State Zip Code

5/9/05
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

RECEIVED	
Application Received: _____	
MAY 10 2005	
ACTION - PLANNING COMMISSION: _____	
ACTION - CITY COUNCIL: _____	

Date & Fee Paid: _____ \$ _____

Special Use Permit # 2005 0063

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (check one) ☐ the Owner ☐ Contract Purchaser
☒ Lessee or ☐ Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Scott Shelton 4752 Ave. Neptune DR. Alex, VA 22309

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☐ Yes. Provide proof of current City business license

☒ No. The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

Provide instruction and training for bartenders and restaurant employees on the proper way to mix drinks, customer service and serving alcohol responsibly.

School will have three classes a day mon.-fri

~~8:30~~ 9:00 AM - 1:00 PM 1:30 PM - 5:30 PM 6:00 PM - 10:00 PM

Saturday hours are ~~9:00~~ 8:30 AM - 6 PM.

A maximum of 16 students per class

3 employees

Parking is provided at the location

All drinks will be made with food coloring and water

There will be no alcohol being served or on the premises.

Noise level will consist of that of a class room setting

USE CHARACTERISTICS

4. The proposed special use permit request is for: (check one)

- ☒ a new use requiring a special use permit,
- ☐ a development special use permit,
- ☐ an expansion or change to an existing use without a special use permit,
- ☐ expansion or change to an existing use with a special use permit,
- ☐ other. Please describe: _____

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

A maximum of 16 students per class. Classes are Mon-Fri
9:00 AM - 1:00 PM, 1:30 - 5:30 pm, 6:00 - 10:00 pm. Sat. 9:00 AM - 6:00 pm.

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

3 employees Mon.-Fri. 1 employee on Sat.

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

Mon-Fri

Sat.

Sun.

Hours:

8:30
9:00 - 1:00, 1:30 - 5:30, 6:00 - 10:00

8:30
9:00 - 6:00

Closed

7. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

None / Classroom setting.

B. How will the noise from patrons be controlled?

There will be no noise. Classroom setting

8. Describe any potential odors emanating from the proposed use and plans to control them:

None

9. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

Paper and boxes

B. How much trash and garbage will be generated by the use?

100 gallons a month

C. How often will trash be collected?

Once a week

D. How will you prevent littering on the property, streets and nearby properties?

By installing trash receptacles on property

Grounds person will pick up trash

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

12. What methods are proposed to ensure the safety of residents, employees and patrons?

ALCOHOL SALES

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

☐ Yes. ☒ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

14. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

B. How many parking spaces of each type are provided for the proposed use:

<u>25</u>	Standard spaces
_____	Compact spaces
_____	Handicapped accessible spaces.
_____	Other.

C. Where is required parking located? ☒ on-site ☐ off-site (check one)

If the required parking will be located off-site, where will it be located:

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? None

B. How many loading spaces are available for the use? 1

C. Where are off-street loading facilities located? 716 Church St.

D. During what hours of the day do you expect loading/unloading operations to occur?

9:00 AM - 4:00 PM

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

Once a month

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

No improvements needed

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No

Do you propose to construct an addition to the building? ☐ Yes ☒ No

How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be?

1200 sq. ft. (existing) + _____ sq. ft. (addition if any) = 1200 sq. ft. (total)

19. The proposed use is located in: (check one)

☒ a stand alone building ☐ a house located in a residential zone ☐ a warehouse

☐ a shopping center. Please provide name of the center: _____

☐ an office building. Please provide name of the building: _____

☐ other, please describe: _____

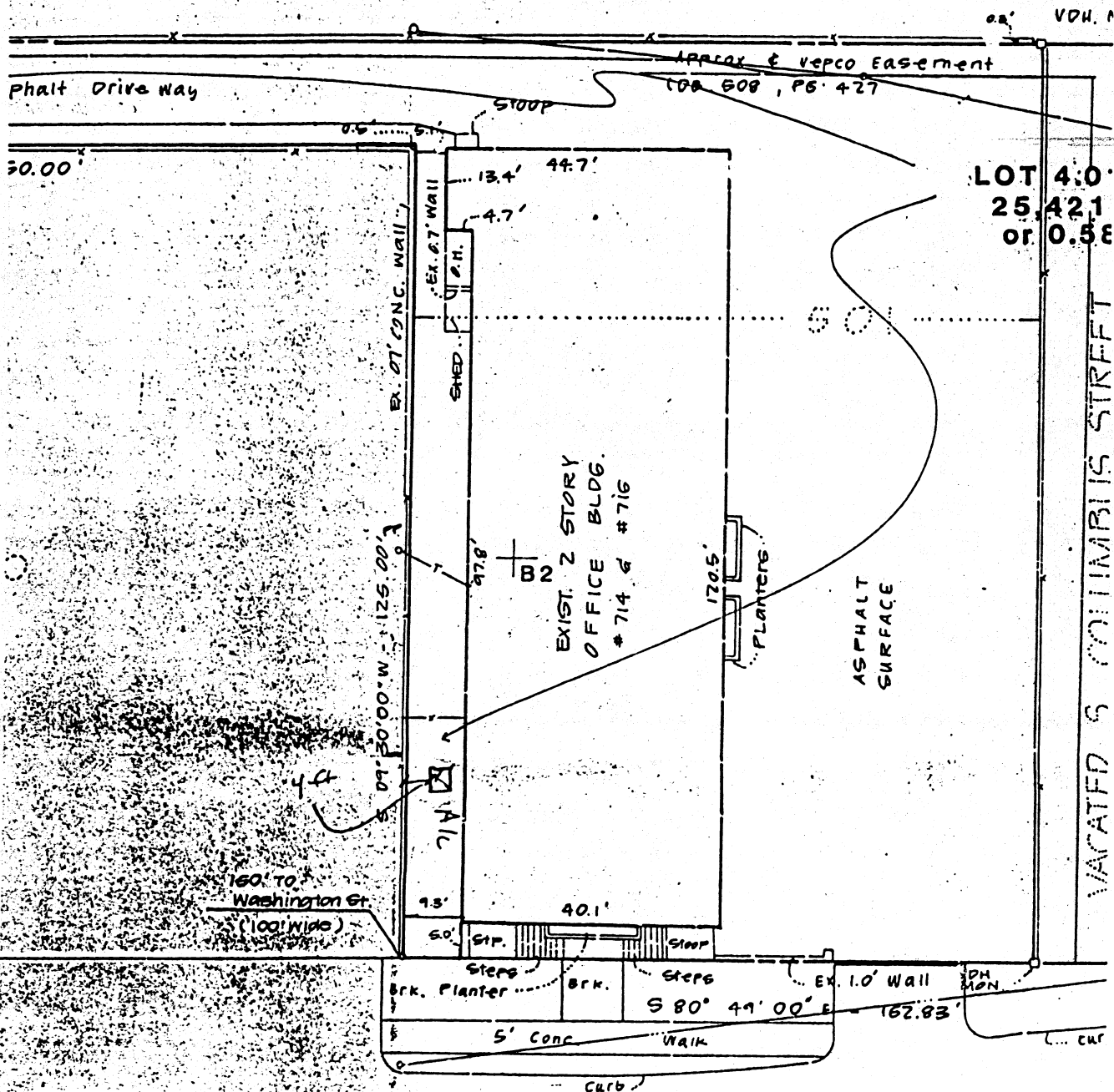
TE

RTE. #95

SUP 2005-0063 CHU

WIDEN ACCESS AND RIGHT-OF-WAY
FOR INTERSTATE ROUTE 95

N 81° 11' 27" W — 312.84'



APPROVAL RECOMMENDED

Complies with zoning requirements

6-2584 [Signature]
DATE DIRECTOR OF PLANNING

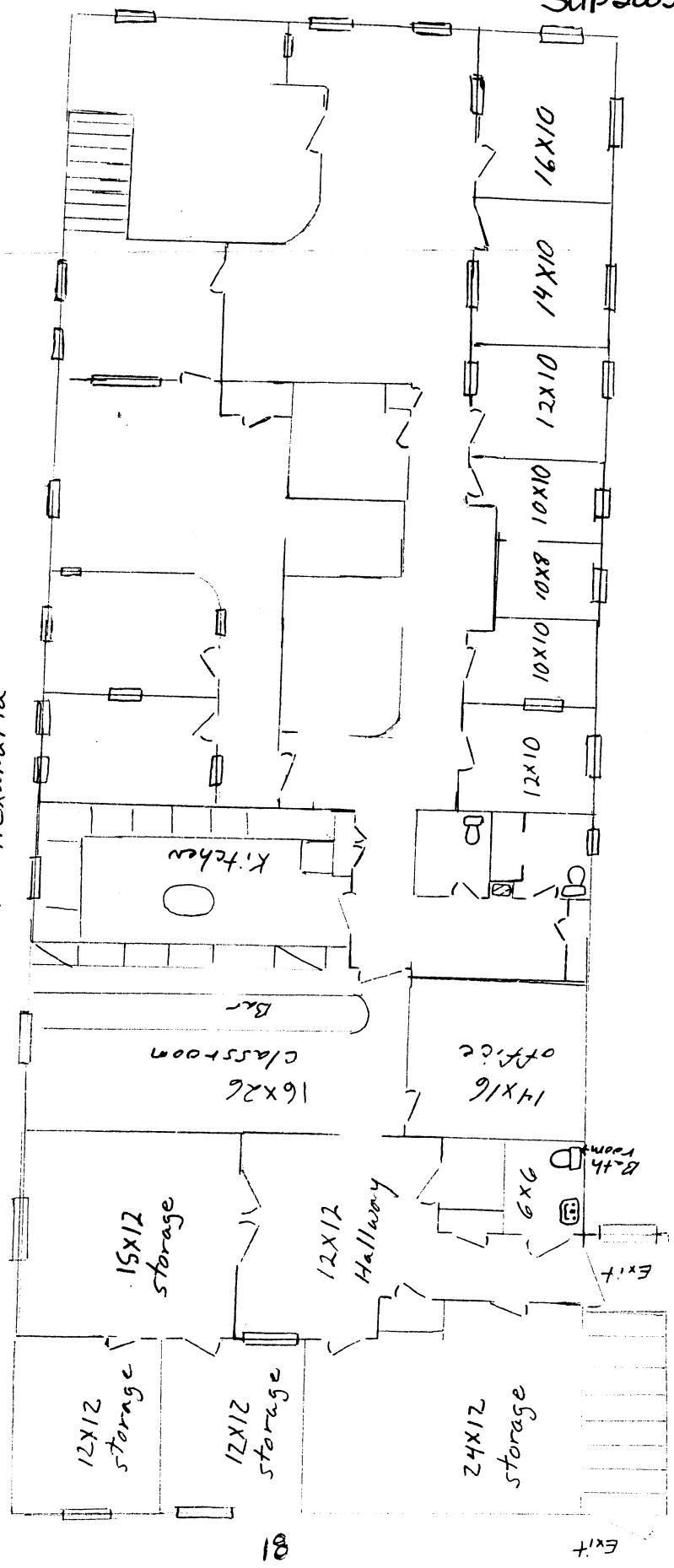
2015 C.R. [Signature]

ALC UNIT

CHURCH STREET
(88 WIDE)

40 X 150
Parking Lot

716 CHURCH ST.
Old Town Alexandria



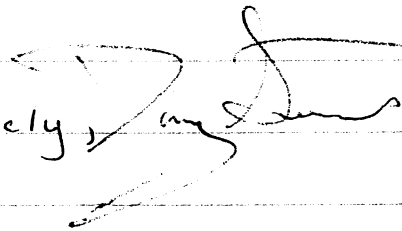
8-16-05

To Whom IT may Concern:

Capital Bartending School

has permission to use the
parking lot in the rear of
our Mobil gas station located
at 1001 S. Washington Street for
parking during school hours.

Sincerely,



Mobil®

TOWING SERVICE

OLD TOWN MOBIL

**COMPLETE FOREIGN & DOMESTIC AUTO REPAIR
STATE & EMISSION INSPECTION**

1001 S. WASHINGTON ST.
ALEXANDRIA, VA 22314

TEL: (703) 549-8533
FAX: (703) 549-8556

PHOTO SCIENCE

[illegible]

WE RECOMMEND NOT APPROVING THE BARTENDIN

[illegible]